

THURSDAY, MARCH 14, 1991

TWENTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Wayne Lankford, Smithville Church of Christ, Smithville, Tennessee.

Representative Frank Buck led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Davis (Gibson); due to father's illness.

Representative Hassell; due to personal business.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 14, 1991

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar for Monday, March 18, 1991**: House Bill(s) No(s). 789, 760, 33, 730, 620, 1262 and 1263.

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We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, March 18, 1991**: House Bill(s) No(s). 850, 1322, 191 and 1381.

PHILLIPS, Chair.

CONSENT CALENDAR

House Resolution No. 0026 -- Memorials, Personal Achievement -- Jethro Barger, Youth Science Ambassador by People to People International.

House Joint Resolution No. 0132 -- Memorials, Public Service -- Mr. and Mrs. Cecil Flowers.

House Joint Resolution No. 0133 -- Memorials, Public Service -- Wesley Beal.

House Joint Resolution No. 0134 -- Memorials, Sports -- Central High School football team.

House Joint Resolution No. 0135 -- Memorials, Public Service -- Lucy Upchurch.

House Joint Resolution No. 0136 -- Memorials, Public Service -- Billy Keeton.

House Bill No. 1531 -- Anderson County -- Creates juvenile court judge. Amends Chapter 74, Private Acts of 1961.

House Bill No. 1532 -- Cottage Grove -- Adopts new charter. Amends Chapter 333, Private Acts of 1953, as amended.

House Bill No. 1533 -- Henry County -- Clarifies membership on board of trustees for medical center. Amends Chapter 176, Private Acts of 1953, as amended.

Senate Joint Resolution No. 0109 -- Memorials, Public Service -- Margaret Yarbrough.

Senate Joint Resolution No. 0110 -- Memorials, Death -- Ted Holt.

Senate Joint Resolution No. 0111 -- Memorials, Public Service -- Marshall H. Wilson, Coffee County road superintendent.

Senate Joint Resolution No. 0112 -- Memorials, Public Service -- Duromatic Products Corporation.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed

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and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0741 -- Funeral Directors and Embalmers -- Enlarges funeral directors licensing board. Amends TCA 62-5-201.

Further consideration of House Bill No. 741, previously considered on March 7, 1991, at which time it was reset to the calendar for March 14, 1991.

Rep. Robinson (Davidson) moved that House Bill No. 741 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 741 by deleting the words and figures "of seven (7) members" in the amendatory language in Section 1 and by substituting instead "of eleven(11) members".

AMEND FURTHER AMEND by adding the following new sentence between the first and second sentences of Section 1:

Four (4) of such members shall be licensed attorneys appointed by the governor.

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AND FURTHER AMEND by deleting the last sentence of the amendatory language of Section 1 and substituting instead the following:

There shall be at least three (3) members but not more than four (4) members for each grand division of the state.

Rep. Robinson (Davidson) moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes.	70
Noes.	19
Present and not voting.	1

Representatives voting aye were: Allen, Armstrong, Arriola, Bittle, Bivens, Bragg, Byrd, Chiles, Clark, Cole, Cross, Curlee, Davidson, Davis (Cocke), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Haley, Halteman, Harrill, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Knight, Liles, Love, McDaniel, McKee, Napier, Niceley, Peroulas Draper, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 70.

Representatives voting no were: Anderson, Bell, Buck, Callicott, Copeland, Crain, Davis (Knox), Duer, Gunnels, Hargrove, Head, McAfee, Meyer, Moore, Nuber, Phillips, Pinion, Williams (Union), Wood -- 19.

Representatives present and not voting were: Chumney -- 1.

Thereupon, Rep. Robinson (Davidson) moved that House Bill No. 741 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	4
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner

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(Shelby), Venable, Walley, West, Whitson, Williams (Union), Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Gunnels, Williams (Shelby), Windle, Winningham -- 4.

Representatives present and not voting were: McKee -- 1.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 144 out of order, which motion prevailed.

House Joint Resolution No. 0144 -- Memorials, Recognition and Thanks -- National Political Congress of Black Women, Inc. by *DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

***House Bill No. 0565** -- Pensions and Retirement Benefits -- Allows teaching at U.S. military facilities to be creditable service. Amends TCA, Title 8, Chs. 34--36.

On motion, House Bill No. 565 was made to conform with Senate Bill No. 1205.

On motion, **Senate Bill No. 1205**, on same subject, was substituted for House Bill No. 565.

Rep. Walley moved that **Senate Bill No. 1205** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Walley moved that **Senate Bill No. 1205** be passed on third

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and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 0066** -- Financial Disclosure -- Requires disclosure of the identity of persons purchasing certain communications which seek to influence governmental decisions. Amends TCA 2-19-120.

Rep. Bragg moved that House Bill No. 66 be reset one week to the Calendar for Thursday, March 21, 1991, which motion prevailed.

***House Bill No. 0183** -- Consumer Protection -- Requires stricter disclosures in camping promotional offers. Amends TCA 47-18-405.

On motion, House Bill No. 183 was made to conform with Senate Bill No. 485.

On motion, **Senate Bill No. 485**, on same subject, was substituted for House Bill No. 183.

Rep. Bragg moved that **Senate Bill No. 485** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman,

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Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 0184** -- Consumer Protection -- Requires certain disclosure by campground operators in promotional offers. Amends TCA 47-18-405.

On motion, House Bill No. 184 was made to conform with Senate Bill No. 486.

On motion, **Senate Bill No. 486**, on same subject, was substituted for House Bill No. 184.

Rep. Bragg moved that **Senate Bill No. 486** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 0185** -- Consumer Protection -- Revises disclosure requirements of certain promotional or gift offers. Amends TCA 66-32-133.

On motion, House Bill No. 185 was made to conform with Senate Bill No. 487.

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On motion, **Senate Bill No. 487**, on same subject, was substituted for House Bill No. 185.

Rep. Bragg moved that **Senate Bill No. 487** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 0186** -- Consumer Protection -- Requires time share promoters to disclose certain information. Amends TCA 66-32-133.

On motion, House Bill No. 186 was made to conform with Senate Bill No. 484.

On motion, **Senate Bill No. 484**, on same subject, was substituted for House Bill No. 186.

Rep. Bragg moved that **Senate Bill No. 484** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart,

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Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1413** -- Pensions and Retirement Benefits -- Authorizes Tennessee Municipal League and associated groups to participate in TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2.

On motion, House Bill No. 1413 was made to conform with Senate Bill No. 1371.

On motion, **Senate Bill No. 1371**, on same subject, was substituted for House Bill No. 1413.

Rep. Rhinehart moved that **Senate Bill No. 1371** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Rhinehart moved that **Senate Bill No. 1371** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 0268 -- Criminal Offenses -- Increases penalty for unlawful crossing of railroad grade crossings. Amends TCA 55-8-147.

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Rep. Buck moved that House Bill No. 268 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 268 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-147 subsection (c) is amended by deleting all the language in that subsection and by substituting instead the following:

(c) A violation of subsection (a) is a class B misdemeanor.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Ridgeway moved that **House Bill No. 268**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 0522 -- Economic and Community Development --**

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Enlarges scope of application of Local Neighborhood Development Corporation. Amends TCA, Title 13, Ch. 13, Pt. 1.

Rep. U. Jones moved that House Bill No. 522 be reset one week to the Calendar for Thursday, March 21, 1991, which motion prevailed.

***House Bill No. 1255** -- General Services, Dept. of -- Authorizes commissioner to appoint designee to resolve bid protests. Amends TCA 12-3-214.

On motion, House Bill No. 1255 was made to conform with Senate Bill No. 1387.

On motion, **Senate Bill No. 1387**, on same subject, was substituted for House Bill No. 1255.

Rep. Purcell moved that **Senate Bill No. 1387** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 0374** -- Economic and Community Development -- Establishes committee to recognize local efforts to foster community and neighborhood pride. Amends TCA, Title 4, Ch. 3, Pt. 7.

On motion, House Bill No. 374 was made to conform with Senate Bill No. 874.

On motion, **Senate Bill No. 874**, on same subject, was substituted for House Bill No. 374.

Rep. Love moved that **Senate Bill No. 874** be passed on third and final consideration.

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Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 874 by adding the following language as a new, appropriately designated section immediately preceding the effective date clause, and by renumbering the effective date clause accordingly:

SECTION ____ . Implementation of the provisions of this act shall be subject to the funding being provided in the General Appropriations Act.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Love moved that **Senate Bill No. 874**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Haun -- 1.

A motion to reconsider was tabled.

***House Bill No. 0279** -- Banks and Financial Institutions -- Clarifies rights and liabilities of banks and individuals under certain deposits held in trust and payable on death accounts. Amends TCA 45-2-704.

On motion, House Bill No. 279 was made to conform with Senate Bill No. 410.

On motion, **Senate Bill No. 410**, on same subject, was substituted for House Bill No. 279.

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Rep. Holt moved that **Senate Bill No. 410** be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Holt moved that **Senate Bill No. 410** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 1218** -- Television, Educational -- Changes membership of Tennessee Public Television Council. Amends TCA 49-50-905.

Rep. Tindell moved that House Bill No. 1218 be passed on third and final consideration.

Rep. King moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1218 by adding the following as new Section 2 and by renumbering the existing Section 2 accordingly:

Section 2. Tennessee Code Annotated, Section 49-50-905(b), is further amended by adding the following language to the end thereto:

If a general manager has an impairment which prevents his attendance in work of the council, then such general manager may appoint a designee to attend as his representative.

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On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Tindell moved that **House Bill No. 1218**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 0499** -- Consumer Protection -- Prohibits use of counterfeit merchandise in flea markets. Amends TCA 47-18-104.

Rep. Winningham moved that House Bill No. 499 be passed on third and final consideration.

Rep. Clark moved adoption of Consumer and Employee Affairs Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 499 by deleting from the amendatory language of section 1, item (26) in its entirety and by substituting instead the following:

(26) Selling or offering to sell, other than as an occasional seller, counterfeit merchandise or reproductions that are not stated as such. For purposes of this section "counterfeit merchandise" means any merchandise made in imitation of something genuine so as to deceive or defraud.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Winningham moved that **House Bill No. 499**, as amended, be passed on third and final consideration, which motion

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prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Rinks moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 145 out of order, which motion prevailed.

***House Joint Resolution No. 0145 --** Memorials, Government Officials -- Requests giving of priority to opening transportation corridor to West Tennessee to maximize on opportunities created by NASA's Advanced Solid Rocket Motor Project. by *Rinks, *Naifeh, *Kisber, *Holt, *Pinion, *Ridgeway, *Callicott, *Crain, *Davis Ray, *Herron.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rinks, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Head moved that the rules be suspended for the immediate passage of House Bill No. 1529 on third and final consideration, which motion prevailed.

House Bill No. 1529 -- Clarksville -- Revises election of mayor

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and aldermen. Amends Chapter 292, Private Acts of 1957, as amended.

Rep. Head moved that House Bill No. 1529 be passed on third and final consideration.

Rep. Head moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1529 by deleting Sections 1, 2, 3, 4 and 5 in their entirety and substituting instead the following new sections:

SECTION 1. Article II of Chapter 292 of the Private Acts of 1957, as amended by Chapter 249 of the Private Acts of 1961, Chapter 158 of the Private Acts of 1965, Chapter 377 of the Private Acts of 1967, Chapter 183 of the Private Acts of 1988, and any other acts amendatory thereto, is further amended by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Be it further enacted, That the city of Clarksville shall be divided into twelve (12) wards for the purpose of electing twelve (12) persons for the office of alderman.

Prior to January 1, 1992, the city council shall by ordinance divide the city into twelve (12) wards to apportion the city council so that the aldermen elected from wards shall represent substantially equal populations. The city council shall reapportion in 1991 and may reapportion at any time thereafter if it deems such action necessary to maintain substantially equal representation based on population. The city council shall use the latest federal census data whenever a reapportionment is made. Wards shall be reasonably compact and contiguous. A map of such wards shall be stored with the office of city clerk.

Commencing with the November election in 1992, there shall be a total of twelve (12) aldermen. After the period of transition from present law, there shall be one (1) alderman elected from each ward who is a resident of such ward and such alderman shall be selected by the qualified voters of such ward.

The county election commission of Montgomery County shall hold an election at the voting places in the city on the first Tuesday after the first Monday in November and each even numbered year thereafter to fill all vacancies on the city council and the mayor. At the election occurring on the first Tuesday in November, 1994, there shall be elected by the qualified voters of the entire city a mayor elected

for a term of four (4) years beginning the following January 1st and until his successor is elected and qualified. At the November, 1992, election for aldermen, six (6) persons shall be elected for a term of four (4) years. At the November, 1994, election for aldermen, six (6) aldermen shall be elected for a term of four (4) years. Thereafter, except as otherwise set out, as the terms of office of each alderman and mayor expire, the successors thereto shall be elected for terms of four (4) years. The candidate receiving the highest number of votes for mayor and the candidates, one (1) from each ward, receiving the highest number of votes for alderman of such ward, shall be taken duly elected, subject each to a contest before the city council.

Prior to January 1, 1992, the city council by ordinance shall establish the twelve (12) wards and designate the offices of alderman which shall be filled in the 1992 November election. Such alderman shall be elected from specific wards as the ordinance so provides.

SECTION 2. Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 3. This act shall have no effect unless it is approved by a majority of the number of qualified voters of the City of Clarksville voting in an election on the question of whether or not the act should be approved. Within ninety (90) days after this act becomes law, the county election commission of Montgomery County shall call an election for the City of Clarksville, to be held not less than forty-five (45) days, nor more than sixty (60) days from the date of the call. The ballots used in the election shall have printed on them the following question:

Shall the process for electing city council members be changed to provide that all city council members be elected by the voters in their respective wards?

and voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The cost of the election shall be paid by the City of Clarksville.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Head moved that **House Bill No. 1529**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Joint Resolution No. 0146 -- Memorials, Government Officials -- Urges Tennessee Wildlife Resources Commission to increase length of Canada Goose hunting season in Lauderdale and Dyer counties. by *Crain, *Holt.

Referred by the Speaker to the Conservation and Environment Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0121 -- Memorials, Heroism -- Corporal Douglas Lance Fielder.

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Referred by the Speaker to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1541 -- Hollow Rock -- Continues corporate existence. Repeals Chapter 132, Private Acts of 1981. by *Ridgeway.

Passed first consideration.

REPORT OF DELAYED BILLS COMMITTEE
March 14, 1991

Pursuant to **Rule No. 78**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 1512.

Jimmy Naifeh, Speaker
Bill Purcell
John Chiles

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 0153** -- Livestock -- Limits civil liability for persons involved in equine activities. Amends TCA, Title 44. (HB 0508).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0298** -- Highways, Roads and Bridges -- Provides for inventory of certain highway properties. Amends TCA, Title 54, Ch. 5. (HB 0901).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0327** -- Sunset Laws -- Extends termination date of correctional enterprises board. Amends TCA, Title 4, Ch. 29; Title 41, Ch. 22. (HB 0247).

Held pending third consideration of companion House Bill.

Senate Bill No. 0332 -- Sunset Laws -- Extends termination date

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of state board for licensing contractors. Amends TCA, Title 4, Ch. 29; Title 62, Chs. 6, 32, 37. (*HB 0258).

Held pending third consideration of companion House Bill.

Senate Bill No. 0338 -- Sunset Laws -- Extends termination date of vocational training centers, board of directors. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 11. (*HB 0235).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0488** -- Agriculture -- Makes certain changes in soybean promotion fund assessments; transfers certain authority to board. Amends TCA 43-20-208--210, 213. (HB 0563).

Held pending third consideration of companion House Bill.

Senate Bill No. 0633 -- Garnishments and Executions -- Codifies form for garnishment calculation. Amends TCA, Title 26, Ch. 2. (*HB 1137).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0741** -- Public Records -- Requires records of employee assistance program be confidential. Amends TCA 10-7-504. (HB 0729).

Held pending third consideration of companion House Bill.

***Senate Bill No. 1008** -- Alcoholic Beverages -- Specifies times at which local option elections may be held. Amends TCA, Title 57. (HB 0827).

Held pending third consideration of companion House Bill.

Senate Bill No. 1477 -- Sewage -- Specifies method of digging septic tank lines for certain lots. Amends TCA, Title 68, Ch. 13. (*HB 1452).

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1538 -- Pleasant Hill -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1539 -- Shelbyville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

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House Bill No. 1540 -- Hamilton County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 185: Rep(s). Phillips as prime sponsor(s).

House Bill No. 268: Rep(s). Phillips as prime sponsor(s).

House Bill No. 279: Rep(s). Phillips as prime sponsor(s).

House Bill No. 499: Rep(s). Arriola as prime sponsor(s).

House Bill No. 687: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 688: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 899: Rep(s). Bittle as prime sponsor(s).

House Bill No. 1006: Rep(s). Whitson as prime sponsor(s).

House Bill No. 1144: Rep(s). Halteman as prime sponsor(s).

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

March 14, 1991

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: **House Bill(s) No(s). 1538.**

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

March 14, 1991

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, March 18, 1991:** **House Bill No. 1538** and **Senate Joint Resolution No. 121.**

PHILLIPS, Chair.

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**SIGNED
March 14, 1991**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 126 and 127.

**ENGROSSED BILLS
March 14, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 144; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 14, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 130; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENGROSSED BILLS
March 14, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1529; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 14, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 144; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 14, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s)

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No(s). 187; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENGROSSED BILLS
March 14, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 268, 499, 741, 1218, 1531, 1532 and 1533; also, House Joint Resolution(s) No(s). 132, 133, 134, 135, 136 and 145; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 14, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 516, 1026, 1241, 1372, 1382, 1383, 1391, 1490 and 1495; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0516** -- State Employees -- Makes extension of group health insurance to surviving spouse of state employee killed in line of duty retroactive to May 1, 1990. Amends TCA 8-27-208. by *Darnell, *McKnight.

Senate Bill No. 1026 -- County Officers -- Retains Lauderdale County within the fourth class for county officials and places Rhea County in such classification using 1990 unadjusted census figures which are subject to change. Amends TCA, Titles 8, 16. by *Dunavant.

***Senate Bill No. 1241** -- Highway Signs -- Mosheim. by *Greer.

Senate Bill No. 1372 -- Liens -- Specifies that liens obtained due to theft of utility services is second to tax liens and all other security interests properly filed and that such lien notices be filed in county which offense committed. Amends TCA, Title 65, Ch. 35. by *Albright.

Senate Bill No. 1382 -- State Prisoners -- Authorizes certain benefits for certain inmates released from prison. Amends TCA 41-21-219. by *Darnell, *Crowe.

Senate Bill No. 1383 -- Correctional Programs -- Authorizes

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exception to prohibition of sale of prison made goods on open market; establishes limit for deductions of inmate wages. Amends TCA 41-6-206, 41-22-116. by *Darnell, *Crowe.

Senate Bill No. 1391 -- Taxes, Sales -- Requires payment of sales tax on price of warranty or service contract at time of sale, subsequent repairs not taxable. Amends TCA 67-1-1802, 67-6-102. by *Darnell.

***Senate Bill No. 1490** -- Criminal Offenses -- Makes obstruction of process server criminal offense. Amends TCA, Title 39, Ch. 16, Pt. 6. by *Kyle.

***Senate Bill No. 1495** -- Sexual Offenses -- Enacts "Rape Victims' Rights Act". by *Cohen, *Wilder, Gilbert, Cooper, Hamilton, O'Brien, Kyle, Dunavant, Haynes, Springer, Burks, Hicks, Jordan, McNally, Person.

MESSAGE FROM THE SENATE

March 14, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 370, 952, 1494, 1498, 1509, 1510, 1511, 1513, 1514 and 1518; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 14, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1, 95, 120, 188, 214, 281, 474, 495, 600, 766, 767, 972 and 1122; also, Senate Joint Resolution(s) No(s). 104 and 107; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 14, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 870, 999, 1495, 1496, 1504, 1508, 1520, 1525, 1526, 1527 and 1529; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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**ENROLLED BILLS
March 14, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 276, 406, 421, 778 and 875; also, House Joint Resolution(s) No(s). 95, 111, 130, 138 and 144; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
March 14, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 370, 952, 1494, 1498, 1509, 1510, 1511, 1513, 1514 and 1518; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENROLLED BILLS
March 14, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1529; also, House Resolution(s) No(s). 26; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**SIGNED
March 14, 1991**

The Speaker announced that he had signed the following: House Bill(s) No(s). 1529.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 14, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1529; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MARCH 14, 1991 -- TWENTY-SECOND LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK
March 14, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1529; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
March 14, 1991

The Speaker announced that he had signed the following: House Bill(s) No(s). 276, 406, 421, 778 and 875; House Joint Resolution(s) No(s). 95, 111, 130, 138 and 144; also, House Resolution(s) No(s). 26.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
March 14, 1991

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1, 95, 120, 188, 214, 281, 474, 495, 600, 766, 767, 972 and 1122; also, Senate Joint Resolution(s) No(s). 104 and 107.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS
March 14, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 870, 999, 1495, 1496, 1504, 1508, 1520, 1525, 1526 and 1527; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles,

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Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 18, 1991.